

**MONTANA PUBLIC SERVICE COMMISSION
UTILITY DIVISION
AGENDA NO. 06-11-14**

Date Published: November 09, 2006
For Work Week Commencing: November 13, 2006
Commission Meeting: November 14, 2006, 9:00 a.m.

General Introduction This agenda is the Commission's Utility Division agenda for the work week designated. In the later part of each week (generally, Thursday by 2:00 p.m.) prior to the work week to which an agenda pertains, the agenda is posted on the public information bulletin board at the Commission offices, deposited in the mail directed to all persons who have properly requested notice by mail, emailed to all persons who have properly requested notice by email, and posted to the Public Service Commission's worldwide web site located at <http://www.psc.mt.gov>.

Place of Meetings All meetings are held at the Commission offices, 1701 Prospect Avenue, Helena, Montana, unless otherwise noted.

Live audio feed Unless otherwise noted on this agenda, all Commission meetings held during regular business hours that are noticed on this agenda will be webcast live via the audio feed link on the PSC website (<http://psc.mt.gov/eDocs/#Calendars>). The audio feeds of meetings are also archived at the same website location.

Inquiries General inquiries concerning this Utility Division agenda and subscribing to notice by mail may be made to Kate Whitney at (406) 444-3056. She may refer inquiries to another person within the agency.

Accommodation for Persons with Disabilities Anyone needing an accommodation for physical, hearing, or sight impairment in order to attend a scheduled meeting should contact the Commission secretary at (406) 444-6199 sufficiently prior to the meeting to allow accommodations to be made.

9:00 a.m. Weekly Scheduling (Commission Conference Room – No Web Audio Feed)

9:30 a.m. Business (Bollinger Room)

Public Comments

Action Items All items identified below are for action at the Commission business meeting.

1. Qwest D2004.1.2, D2003.10.155 (Gary)
Two Interconnection Agreement Amendments

D2004.1.2 - Qwest/XO Communications Services, Inc. This amendment is for Local Number Portability (LNP) managed cuts. This amendment allows a Competitive Local Exchange Carrier (CLEC) to request a number be ported in conjunction with a managed cut in order to avoid interrupting the end user customer's service. This amendment was negotiated between the parties.

D2003.10.155 - Mid-Rivers Telephone Cooperative/Verizon Wireless – this filing is the Fourth Amended Appendix A to the interconnection agreement between the parties. Appendix A delineates the Points of Connection (POCs) between Mid-Rivers and Verizon. POCs are simply the network arrangements by which the companies agree to interconnect their networks and exchange traffic. Staff recommends approval of these amendments.

Probable Motion: Move to approve the interconnection agreement amendments in D2004.1.2 - Qwest/XO Communications Services, Inc. and D2003.10.155 - Mid-Rivers Telephone Cooperative/Verizon Wireless.

2. Qwest D2000.11.196, D2003.8.117, D2002.7.83, D2001.3.27(Gary)
TRO/TRRO Interconnection Agreement Amendments

D2000.11.196 - Qwest Corporation/DSL net Communications, LLC

D2003.8.117 - Qwest Corporation/Vision Net Inc.

D2002.7.83 - Qwest/GANOCO Inc. d/b/a American Dial Tone

D2001.3.27 - Qwest Corporation/Northern Tel, Inc

Qwest has filed for approval with this Commission four TRO/TRRO amendments in the docket listed above. The FCC, with the guidance of the United States D.C. Court of Appeals, has redefined what constitutes an unbundled network element (UNE) under Section 251 of the 1996 Telecommunications Act. Specifically, the FCC issued its Triennial Review Order (TRO) effective October 3, 2003. This was followed by the United States D.C. Court of Appeals USTA II decision on March 2, 2004. Finally, the Commission issued its Triennial Review Remand Order (TRRO) on March 11, 2005. The effect of these orders and decision was to remove a number of UNES from the list of UNEs required to be offered to competitive local exchange carriers (CLECs). These amendments list approximately 30 UNEs which Qwest and the party to this agreement have agreed are no longer required to be offered under Section 251. These amendments were voluntarily negotiated by the parties involved. Staff recommends approval of these amendments.

Probable Motion: Move to approve the interconnection agreement amendments in D2000.11.196 - Qwest Corporation/DSLnet Communications, LLC, D2003.8.117 - Qwest Corporation/Vision Net Inc., D2002.7.83 - Qwest/GANOCO Inc. d/b/a American Dial Tone, and D2001.3.27 - Qwest Corporation/Northern Tel, Inc.

3. CenturyTel N2006.10.156 (Scott)

On October 26, 2006, CenturyTel filed Transmittal No. 06-08. The purpose of this filing is to clarify the facility reservation service to vacation number. The Company is requesting an effective date of November 25, 2006. Probable Motion: Approve CenturyTel's Transmittal No 06-08 in Docket N2006.10.156.

4. CenturyTel N2006.10.159 (Scott)

On October 30, 2006, CenturyTel filed Transmittal No. 06-09. The purpose of this filing is to reduce the monthly charge to \$39.95 for the Simple Choice Unlimited service offering. The Company is requesting an effective date of November 30, 2006 for this filing. Probable Motion: Approve CenturyTel's Transmittal No 06-09 in Docket N2006.10.159.

Work Sessions All items identified below are for Commission discussion or action on the day designated.

1. D2006.8.23 – Qwest Corporation, Bresnan Broadband of Montana, LLC – Interconnection agreement and amendment – Discuss and act on the agreement and the amendment. (11/14/06)
2. N2006.6.81 & D2006.3.39 – Qwest Corporation – Protective Orders – Act on Qwest's application for protective orders. (11/14/06)
3. D2006.2.15 (Quarterly reports) & N2006.10.157 (Annual reports) – Cut Bank Gas – Motions for protective order, re: reporting requirements – Discussion, direction, action on motions for protective order, other matters as necessary. (11/14/06)
4. N2006.10.149 – Commission initiated – In the matter of access to MISO Confidential Information – Discuss and act on Staff's motion for a protective order covering MISO confidential information. (11/14/06)

5. L-06.09.3-RUL – PSC – Annual pipeline safety and periodic national electric safety code rule updates – Post hearing discussion, direction, action on proposed amendments, other matters as necessary. (11/14/06)
6. D2006.5.60 – Commission consideration of the adoption of Energy Policy Act of 2005 standards regarding net metering, fuel diversity, fossil fuel generation efficiency, smart metering, and interconnection – Discuss/act on staff recommendations. (11/14/06)
7. Out of state staff travel – Approve Candace Beery's and Bryan Baldwin's travel to Carmel, IN, December 13-14, for the OMS annual meeting. (11/14/06)

Other Meetings

Weekly Scheduling – Will be held at 9:00 a.m. on the day of the Commission Meeting

Friday 11/17 at 9:00 am – Bollinger Room - D2004.5.84 – Inter-carrier compensation workshop.

Notice Items All items identified below are noticed for public participation purposes. Unless otherwise stated in the text of the notice, the items will be action items on the next following agenda or a subsequent agenda and participation may be had by submitting written comments to the Public Service Commission, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana, 59620-2601, within 5 calendar days following publication of this agenda. Public comments on a noticed matter may also be submitted within the required time through the PSC's web-based comment form at <http://psc.mt.gov/Consumers/comments>. Comments should reference the docket number of the matter.

<u>Qwest</u>	<u>N2006.11.160</u>	<u>(Scott)</u>
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1. On November 3, 2006, Qwest filed Tariff Transmittal 06-17, change to Term Discount Pricing for Qwest Choice[™] Business and Qwest Choice[™] Business Plus. Qwest is proposing to reduce the number of qualifying lines and/or packages a customer must subscribe to in order to get Term Discount Pricing associated with Qwest Choice[™] Business and Qwest Choice[™] Business

Plus. The number of lines and/or packages will be reduced from four to three.

Protective Orders – Notice Items The Commission has received the following requests for protective order pursuant to ARM 38.2.5007. The Commission will rule on the requests no earlier than 10 days after the publication date of this agenda. Comments on the requests may be submitted at any time prior to ruling. Any person wanting a copy of a protective order request should contact the Commission at (406) 444-6199.

Qwest Corporation D2006.3.39 (Robin)

1. On November 8, 2006, Qwest Corporation (Qwest) filed a Motion for Protective Order in the above docket. The requested Protective Order would govern disclosure of Qwest's access lines lost between 1996 and 2006 (by wire center with residence and business losses shown separately), and profitability of Central Office Features and Listings. Qwest argues the information for which protection is requested is constitutionally protected confidential business and technical information, and trade secret.

Protective Orders – Information Items The Commission has issued the following protective orders. These orders may be challenged pursuant to ARM 38.2.5008. Copies of these orders may be obtained by calling the Commission at (406) 444-6199

Montana-Dakota Utilities Co. D2006.4.54 (Martin)

1. A protective order, Order No. 6766a, was issued October 31, 2006, in the above matter, which is MDU's 2006 natural gas tracker.

Information Items All items identified below are for information only.

New Filings Received in Past Week

N2006.11.160 – Qwest Corporation – Tariff Transmittal 06-17 Change to term discount pricing for Qwest Choice Business and Qwest Choice Business Plus.

N2006.11.161 – Qwest Corporation – Amended MSA between Qwest and W.W. Grainger.